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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/798,221

03/11/2004

Jean-Marc Belmond

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3491

26096

7590

08/15/2006

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BIRMINGHAM, MI 48009

EXAMINER

AMAYA, CARLOS DAVID

ART UNIT

PAPER NUMBER

2836

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/798,221	Applicant(s) BELMOND, JEAN-MARC	
	Examiner Carlos Amaya	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/11/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. On page 4 paragraph 26 lines 2-3 of the disclosure applicant refers to Figure 2 having a buttons 20 and 22, but on figure 2 there is no reference numerals 20 and 22. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (Figure 1) in view of Li (US 6,650,025).

With respect to claim 1 Applicant's admitted prior art (Figure 1) discloses a window regulator control switch comprising: a rear view mirror selector to control a position of a rear view mirror and having at least three positions.

However, the Applicant's admitted prior art does not disclose expressly a first control button to enable and disable a first rear door function based on a position of the rear view mirror selector.

Li, however, discloses a window control and a child safety locking device. Figure 3 shows a switch 42 arranged to operate in four positions allowing a child option and an adult option to be applied independently to the right hand side rear door 46 of figure 2 and to the left hand side rear door 58 of figure 3.

It would have been obvious at the time the invention was made to have combined applicants admitted prior art to use the rear mirror selector in conjunction with the switch 42 disclosed by Li.

The suggestion or motivation for doing so would have been to provide a user with a multifunction switch to reduce the number of switches used, by incorporating the use the rear view mirror selector with the switch 42 to provide a user with more options with a reduce number of switches.

With respect to claim 2 Applicant's admitted prior art in view of Li disclose the switch according to claim 1, further comprising a second control button to enable and disable a second rear door function based on the position of the rear view mirror selector. Li discloses that depending on the position of the switch 42 it enables a child

safety option and an adult option for either one of the right hand side door or left hand side door, Column 4 lines 40-47.

With respect to claim 3 and 6 Applicant's admitted prior art in view of Li disclose the switch according to claims, wherein the first and second rear door function is a child safety function that prevents a door lock of an associated rear door from opening when enabled. Second and third position of switch 42 enables a child safety locking device for the right and left hand side rear door respectively.

With respect to claim 4 and 5 Applicant's admitted prior art in view of Li disclose the switch according to claims, wherein the first and second rear door function is a window disabling function that prevents a window regulator of an associated rear door from operating when enabled. Second and third position of switch 42 enables a window for the right and left hand side rear door respectively.

With respect to claim 7 and 9 Applicant's admitted prior art in view of Li disclose the switch according claims, wherein the first and second control button enables and disables the first and second rear door function on a first rear door when the rear view mirror selector is in a first position. Li discloses that the operation of switch 42 enables and disables a child safety function and a window switch on a rear door, thus it would have been obvious to combine the mirror selector disclose by Applicant and the switch 42 to operate a desired function on respective door of a vehicle.

With respect to claim 8 and 10 Applicant's admitted prior art in view of Li disclose the switch according to claims, wherein the first and second control button enables and disables the first and second rear door function on a first rear door and a second rear

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door when the rear view mirror selector is in a first position. Li discloses that the first position of switch 42 disables the child safety locking device and the window switch in the rear right and left doors (adult option); the fourth position enables disables the child safety locking device and the window switch in the rear right and left doors (child option).

With respect to claim 11 Applicant's admitted prior art in view of Li disclose the switch according to claim 4, wherein the first rear door function is a child safety function, and enabling the child safety function prevents a door lock of an associated rear door from opening when enabled. The child safety function is enable and disabled according to the position of the switch 42 to the control the child safety function on the right and left rear doors, Column 1 lines 11-14, Column 4 lines 24-28.

With respect to claim 12 and 13 Applicant's admitted prior art in view of Li disclose the switch according to claims, wherein the first control button enables and disables the first rear door function on the first and second rear door when the rear view mirror selector is in a second and third position. Li discloses that the operation of switch 42 enables and disables a child safety function and a window switch on the right and left rear doors, thus it would have been obvious to combine the mirror selector having a second and third position disclose by Applicant and the switch 42 to operate a desired function depending on the position of the mirror switch to control a respective function of the vehicle doors.

With respect to claim 14 Applicant's admitted prior art disclose a window regulator control switch comprising: a rear view mirror selector to control a position of a rear view minor and having at least three positions.

However, does not disclose expressly a first control button to enable and disable a child safety function that prevents a door lock of an associated rear door from opening when enabled, and the child safety function is based on a position of the rear view mirror selector; and a second control button to enable and disable a window disabling function that prevents a window regulator of the associated rear door from operating when enabled, and the window disabling function is based on the position of the rear view mirror selector.

Li, however, discloses a window control and a child safety locking device. Figure 3 shows a switch 42 arranged to operate in four positions allowing a child option and an adult option to be applied independently to the right hand side rear door 46 of figure 2 and to the left hand side rear door 58 of figure 3.

It would have been obvious at the time the invention was made to have combined applicants admitted prior art to use the rear mirror selector in conjunction with the switch 42 disclosed by Li.

The suggestion or motivation for doing so would have been to provide a user with a multifunction switch to reduce the number of switches used, by incorporating the use the rear view mirror selector with the switch 42 to provide a user with more options with a reduce number of switches.

With respect to claim 15 and 16 Applicant's admitted prior art in view of Li disclose the switch according claim 14, wherein the first control button enables and disables the child safety and window disabling function on a first rear door when the rear view mirror selector is in a first position, enables and disables the child safety and window disabling function on a second rear door when the rear view mirror selector is in a first position, and enables and disables the child safety and window disabling function on the first rear door and the second rear door when the rear view mirror selector is in a third position. Li discloses that the operation of switch 42 enables and disables a child safety function and a window switch on the right and left rear doors, thus it would have been obvious to combine the mirror selector having a second and third position disclose by Applicant and the switch 42 to operate a desired function depending on the position of the mirror switch to control a respective function of the vehicle doors.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner's supervisor, Brian Sircus who can be reached on (571)272-2800. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CA

  
**CHAU N. NGUYEN**  
**PRIMARY EXAMINER**